

1 AMENDMENT TO SENATE BILL 385

2 AMENDMENT NO. _____. Amend Senate Bill 385, AS
3 AMENDED, with reference to page and line numbers of House
4 Amendment No. 1, on page 1, lines 5 and 6, by replacing "and
5 5-1113" with "5-1113, and 5-39001"; and

6 on page 10, by replacing lines 12 through 22 with the
7 following:

8 "as required by law. The records posted by the recorder on
9 the World Wide Web may include those public records created
10 and maintained in the normal course of the recorder's
11 official business. These records may be processed, as
12 necessary, to make them accessible on the World Wide Web.
13 These Web-posted records shall be viewable to all persons
14 without any fee or charge. The county board may, by
15 resolution, authorize the recorder to establish other
16 Web-based services for which a reasonable fee may be
17 charged."; and

18 on page 23, immediately below line 14, by inserting the
19 following:

20 "(55 ILCS 5/5-39001) (from Ch. 34, par. 5-39001)
21 Sec. 5-39001. Establishment and use; fee. The county

1 board of any county may establish and maintain a county law
2 library, to be located in any county building or privately or
3 publicly owned building at the county seat of government.
4 The term "county building" includes premises leased by the
5 county from a public building commission created under the
6 Public Building Commission Act. After August 2, 1976, the
7 county board of any county may establish and maintain a
8 county law library at the county seat of government and, in
9 addition, branch law libraries in other locations within
10 that county as the county board deems necessary.

11 The facilities of those libraries shall be freely
12 available to all licensed Illinois attorneys, judges, other
13 public officers of the county, and all members of the public,
14 whenever the court house is open.

15 The expense of establishing and maintaining those
16 libraries shall be borne by the county. To defray that
17 expense, in any county having established a county law
18 library or libraries, the clerk of all trial courts located
19 at the county seat of government shall charge and collect a
20 county law library fee of \$2, and the county board may by
21 resolution authorize a county law library fee of not to
22 exceed \$19 ~~\$10~~, to be charged and collected by the clerks of
23 all trial courts located in the county. Beginning on January
24 1, 2003, and through January 1, 2007, the maximum fee that a
25 county board may authorize shall increase by \$1 each year.

26 The fee shall be paid at the time of filing the first
27 pleading, paper, or other appearance filed by each party in
28 all civil cases, but no additional fee shall be required if
29 more than one party is represented in a single pleading,
30 paper, or other appearance.

31 Each clerk shall commence those charges and collections
32 upon receipt of written notice from the chairman of the
33 county board that the board has acted under this Division to
34 establish and maintain a law library.

1 The fees shall be in addition to all other fees and
2 charges of the clerks, assessable as costs, remitted by the
3 clerks monthly to the county treasurer, and retained by the
4 county treasurer in a special fund designated as the County
5 Law Library Fund. Except as otherwise provided in this
6 paragraph, disbursements from the fund shall be by the county
7 treasurer, on order of a majority of the resident circuit
8 judges of the circuit court of the county. In any county with
9 more than 2,000,000 inhabitants, the county board shall order
10 disbursements from the fund and the presiding officer of the
11 county board, with the advice and consent of the county
12 board, may appoint a library committee of not less than 9
13 members, who, by majority vote, may recommend to the county
14 board as to disbursements of the fund and the operation of
15 the library. In single county circuits with 2,000,000 or
16 fewer inhabitants, disbursements from the County Law Library
17 Fund shall be made by the county treasurer on the order of
18 the chief judge of the circuit court of the county. In those
19 single county circuits, the number of personnel necessary to
20 operate and maintain the county law library shall be set by
21 and those personnel shall be appointed by the chief judge.
22 The county law library personnel shall serve at the pleasure
23 of the appointing authority. The salaries of those personnel
24 shall be fixed by the county board of the county. Orders
25 shall be pre-audited, funds shall be audited by the county
26 auditor, and a report of the orders and funds shall be
27 rendered to the county board and to the judges.

28 Fees shall not be charged in any criminal or
29 quasi-criminal case, in any matter coming to the clerk on
30 change of venue, or in any proceeding to review the decision
31 of any administrative officer, agency, or body.

32 (Source: P.A. 90-92, eff. 1-1-98; 90-589, eff. 6-5-98.); and
33 on page 33, line 16, immediately after "Act.", by inserting
34 the following:

1 "In addition, the minimum fees authorized in this Section
2 shall apply to all units of local government and school
3 districts in counties with more than 3,000,000 inhabitants.";

4 and

5 on page 45, by replacing lines 32 and 33 with the following:

6 ~~"In addition, the fees provided in this Section shall apply~~
7 ~~to all units of local government and school districts in";~~

8 and

9 on page 46, by replacing line 1 with the following: ~~counties~~
10 ~~with more than 3,000,000 inhabitants. The fees".~~